



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2124

DATE SCANNED 9-13-10

SCANNER NO. 7

SCAN OPERATOR JMP

10092651328



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2010 APR 14 P 3:29

April 14, 2010

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ACTING ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *me* NATALIYA IOFFE/RHIANNON MAGRUDER/IAN WANDNER *pm* *i.w.*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 FEBRUARY
MONTHLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 February Monthly Report in accordance with 2 U.S.C. § 434(a). The February Monthly Report was due on February 20, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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4/14/2010 2:04 PM

**Federal Election Commission
Reason to Believe Circulation Report
2010 FEBRUARY MONTHLY Not Election Sensitive 02/20/2010 P_UNAUTH**

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2124	C00041061	AMERICAN PILOTS' ASSOCIATION POLITICAL ACTION COMMITTEE	CAPTAIN MICHAEL R. WATSON	\$114,422	1	3/20/2010	28	\$6,022	\$243

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2010)
February Monthly Report for the)
Administrative Fine Program:)
AMERICAN PILOTS' ASSOCIATION) AF# 2124
POLITICAL ACTION COMMITTEE, and)
CAPTAIN MICHAEL R WATSON as)
treasurer;)

CERTIFICATION

I, Darlene Harris, Acting Secretary of the Federal Election Commission, do hereby certify that on April 15, 2010, the Commission took the following actions on the Reason To Believe Recommendation - 2010 February Monthly Report for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated April 14, 2010, on the following committees:

AF#2124 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN PILOTS' ASSOCIATION POLITICAL ACTION COMMITTEE, and CAPTAIN MICHAEL R WATSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission
Certification for Administrative Fines
April 15, 2010

Page 2

Attest:

April 16, 2010
Date

Darlene Harris

Darlene Harris
Acting Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 16, 2010

Michael R. Watson as Treasurer
American Pilots' Association Political Action Committee
499 South Capitol Street, S.W. #409
Washington, DC 20003

C00041061
AF#: 2124

Dear Mr. Watson:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a February Monthly Report of Receipts and Disbursements covering the period through January 31, 2010. This report shall be filed no later than February 20, 2010. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on March 20, 2010, 28 days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On April 15, 2010, the FEC found that there is reason to believe ("RTB") that American Pilots' Association Political Action Committee and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before February 20th. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$243. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$243 is due within forty (40) days of the finding, or by May 25, 2010, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$6,022
Number of Days Late: 28
Number of Previous Civil Money Penalties Assessed: 1

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the

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Commission's RTB finding, or May 25, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that American Pilots' Association Political Action Committee and you as treasurer violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.45.

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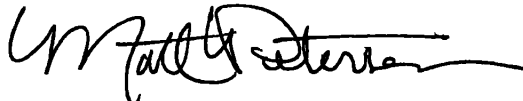
3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ian Wandner in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$243 for the 2010 February Monthly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by May 25, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: American Pilots' Association Political Action Committee

FEC ID#: C00041061

AF#: 2124

PAYMENT DUE DATE: May 25, 2010

PAYMENT AMOUNT DUE: \$243

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2010 JUN -2 P 3: 41

June 2, 2010

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ALEC PALMER *AP*
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ACTING ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/RHIANNON MAGRUDER/IAN WANDNER *rim iw*
REPORTS ANALYSIS DIVISION
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM – FINAL DETERMINATION
RECOMMENDATION FOR THE 2010 FEBRUARY MONTHLY REPORT

Attached is the name of a political committee and its treasurer against which the Commission has found reason to believe (RTB) and assessed a proposed civil money penalty calculated at RTB for failure to file or failure to timely file the 2010 February Monthly Report. The committee has paid the civil money penalty requested at RTB.

In accordance with 11 CFR § 111.34, the Commission shall send a final determination notice to the respondent that has paid the civil money penalty.

RAD Recommendation

- (1) Make final determination that the political committee and its treasurer on the attached report violated 2 U.S.C. § 434(a) and assess the final civil money penalty so indicated.
- (2) Send the appropriate letter.

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Federal Election Commission
FD Circulation Report Review - Fine Paid
2010 FEBRUARY MONTHLY Not Election Sensitive 02/20/2010 P_UNAUTH

AF#	Committee Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2124	AMERICAN PILOTS' ASSOCIATION POLITICAL ACTION COMMITTEE	C00041061	CAPTAIN MICHAEL R. WATSON	03/20/2010	28	\$6,022	1	04/15/2010	\$243	\$243	05/05/2010	\$243

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program - Final) AF 2124
Determination Recommendation for the)
2010 February Monthly Report:)
American Pilots' Association Political)
Action Committee and Captain)
Michael R. Watson, as Treasurer)

CERTIFICATION

I, Darlene Harris, Acting Secretary of the Federal Election Commission,
do hereby certify that on June 04, 2010, the Commission decided by a vote of 6-0
to take the following actions in AF 2124:

1. Make a final determination that the American Pilots' Association Political Action Committee and Captain Michael R. Watson, as Treasurer, violated 2 U.S.C. § 434(a) and assess the final civil money penalty in the amount of \$243.
2. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and

Weintraub voted affirmatively for the decision.

Attest:

June 4, 2010
Date

Darlene Harris
Darlene Harris
Acting Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 2010

Captain Michael R. Watson, in official capacity as Treasurer
American Pilots' Association Political Action Committee
499 South Capitol Street, S.W. #409
Washington, DC 20003

C00041061
AF#: 2124

Dear Mr. Watson:

On April 15, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that American Pilots' Association Political Action Committee and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2010 February Monthly Report. By letter dated April 16, 2010, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$243 in accordance with the schedule of penalties at 11 C.F.R. § 111.43.

On May 5, 2010, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on June 4, 2010 that you, in your official capacity as treasurer, and American Pilots' Association Political Action Committee violated 2 U.S.C. § 434(a), assessed a civil money penalty in the amount of \$243 in accordance with 11 C.F.R. § 111.43, and voted to close the file.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Ian Wandner on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen", is written over a horizontal line.



Matthew S. Petersen
Chairman

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QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 0000024300 BA# 1 05-04-10 20 4



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usbancorp.
The New Banking Company

THE AMERICAN PILOTS' ASSOC INC POLITICAL ACTION COMMITTEE 400 S. CAPITOL STREET, S.W. SUITE 408 WASHINGTON, DC 20003		 65-270/850	3206
		5/3/2010	
PAY TO THE ORDER OF	Federal Election Commission	\$	**243.00
Two Hundred Forty-Three and 00/100		DOLLARS	
Federal Election Commission P.O. Box 979058 St. Louis, MO 63197-9000			
MEMO	AF# 2124 FEC ID #C00041061		



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2124

DATE SCANNED 9-13-10

SCANNER NO. 1

SCAN OPERATOR Jms

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